



**Village of Suffern**  
**Village Board Meeting Minutes**  
**Monday, August 3, 2020 at 7:00 p.m.**

A regular meeting of the Village Board of Trustees was held on Monday, August 3, 2020. Due to the COVID 19 Pandemic, the meeting was by teleconference.

Present:        Edward Markunas, Mayor  
                  Steven Alpert, Trustee  
                  Charles Barone, Trustee  
                  Paul Girard, Trustee  
                  Jo Meegan-Corrigan, Trustee  
                  Amy Paffenroth, Village Clerk  
                  Robert Magrino, Attorney  
                  Richard Glickel, Attorney

**CALL TO ORDER:**

Mayor Markunas called the meeting to order at 7:00 p.m.

**UPCOMING MEETINGS:**

A Workshop Meeting is scheduled for Monday, August 31, 2020 at 7:00 p.m. Village Board Workshop Meetings will now be held on the last Monday of the month. Due to Labor Day holiday, the regular meeting of the Board of Trustees will be held on Tuesday, September 8, 2020.

**PUBLIC PARTICIPATION:**

A resident from Parkside Drive responded to a statement Mayor Markunas made at the July regular meeting of the Board of Trustees regarding her FOIL request and lingering issues. She stated she appreciated the Mayor's statements in an effort to bring clarity, but she appreciated the opportunity to speak for herself. She stated the issue began with the Trustees illegal attempts to appoint an Attorney at the Reorganization Meeting on December 2, 2019 and a Request for Proposal (RFP) that either exists or does not exist. The resident stated she believes Trustee Girard, along with the other Trustees who were involved with the appointment of an attorney on December 2, 2019, should shed more light on this subject. The resident's original FOIL request was made on February 3, 2020.

On March 27, 2020, the resident received a response from the Village Clerk that contained documents that the resident believed were irrelevant to her request because the documents provided did not contain an RFP spoken about by Trustee Girard. The March 27, 2020 response contained instructions on how the resident could appeal the response provided by the Clerk's office. The resident submitted an Appeal on April 24, 2020. The resident stated that an response to her appeal was not provided to her in timely manner. The resident received the response to her appeal on May 29, 2020 from the Village Clerk and Trustee Jo Meegan-Corrigan beyond the 10-day response period because the appeal required legal review and subsequently needed to be answered by the Board of Trustees who were unable to meet to discuss this matter within the 10-day appeal period. The resident stated that in her opinion this is not an isolated event.

The resident was critical of the Village Clerk regarding how the FOIL was handled as well as other issues that in her opinion did not meet standards set for open meeting laws. The resident went onto to express an opinion about the salary practices of the Village of Suffern and that such practices should be reviewed to ensure certain employees are compensated, or not compensated, reflective of what she believes should be a system based on performance measures. The resident stated that she believes the Village Clerk's office sends out acknowledgements to FOIL requests as a means to delay providing records to the public. However, the Mayor clarified later that FOIL requests are handled as rapidly as possible as delineated by Village code and the laws of the State of New York, and all FOIL requests are responded to as soon as the documents are available and in some cases reviewed as applicable by legal counsel.

The resident stated that she believed that no other FOIL request was scrutinized as she believes her FOIL request was scrutinized. She stated that the FOIL appeal letter she received was a form of intimidation by Attorney Glickel. She stated that in her opinion the two previous attorneys who were appointed by Mayor Markunas did not belittle or undermine resident records requests. She believes the Board allowed this to occur and stated this was disturbing to her.

The resident stated she had an attorney review the appeal response she received and that the attorney that reviewed the response characterized Attorney Glickel as arrogant. She stated she was advised by this attorney that she had grounds to pursue this matter in court even if pursuing the matter was meant for the purpose of teaching the Village a lesson. She stated she read articles about how FOIL requests should be addressed and stated that responses should be amicable rather than adversarial. She said she was disappointed in the level of service she received from the Village as compared to her measure of past service levels. The resident also stated that the Village of Suffern has not been involved in lawsuits under the tenure of past attorneys but expected this now would change.

Mayor responded that unfortunately FOIL requests have been used as a way to bog down Village government and explained the Village Clerk's office works diligently to answer FOIL requests as soon possible based upon how extensive the search for records may be.

Attorney Glickel responded to the accusations and characterizations presented by the resident and explained how the FOIL process was handled in accordance with the laws of the State of New York. Attorney Glickel explained the comments provided by the resident reflected that she was unhappy with the response she received from the Village because she did not receive the RFP from Trustee Girard that she was expecting to receive since the record did not exist. Attorney Glickel reminded the Board and the resident that her FOIL was never denied. The resident did receive documents related to her FOIL request. However, after an exhaustive search for an RFP from Paul Girard, the Village Clerk indicated that no such RFP existed. Attorney Glickel explained that a FOIL request is a request for a record. In this case, a record of an RFP from Paul Girard did not exist and though her FOIL request was not denied, the resident still had the right to appeal.

Attorney Glickel explained that the Village Board, the agency assigned to answer FOIL Appeals, moved forward with preparing a response to further address the resident's concerns. Attorney Glickel pointed out that having the Board address FOIL appeals is cumbersome and that he had previously recommended to the Board that a designated Village employee be assigned to the responsibility of FOIL appeals to help to streamline the process. Attorney Glickel stated that the FOIL appeal process conducted at the request of the resident was not a matter of anyone's arrogance. Rather, it was conducted in accordance with New York State law and if the resident wanted to pursue an Article 78 Proceeding, as she threatened, she was entitled to do so. In order to provide additional context for the FOIL appeal letter received by the resident, Attorney Glickel read the FOIL appeal letter into the record as follows:

Dear Ms. Szyferblatt: In accordance with the Section 213-7 (A) of the Code of the Village of Suffern and N.Y. Public Officers Law § 89 (3) (a), the "appeal" of your FOIL request received by the Village on or about February 3, 2020, which was answered by the Village Clerk in her capacity as the Village's Records Access Officer on March 27, 2020, has been forwarded to the Village Board of Trustees. A review of the Village's response to your request reveals that your request was not denied. Rather, there were attached, and you were provided access to those records that the Clerk could locate after a diligent search as well as stating the results of her communications with Trustee Paul Girard. While absent a denial of your request no appeal lies, the Board is providing the following explanation. Simply stated – and after further investigation – the other records you have sought to access per your request do not exist. After receiving your "appeal," the Village renewed its search for those other records. The Clerk has confirmed and certifies that there is no written RFP exists. A search of the relevant village email account showed no emails or other correspondence addressing the topic of your FOIL request. The Clerk's "certification of no records" accompanies the Board's explanation. Finally, your request for the creation and submitting of "a signed statement to the

Village,” is denied. The Freedom of Information Law is based upon a presumption of access to existing government records. As New York’s Committee on Open Government explains, FOIL does not entail the *creation* of records. “The Freedom of Information Law pertains to records; it is not intended to be used as a vehicle for cross examining government officials or employees. Therefore an agency is not required to answer questions or to create a new record in response to questions.” (See Committee on Open Government, FAQ – Freedom of Information Law). Thank you for your interest in Suffern village government. Signed Trustee Jo Meegan-Corrigan.

Also during public participation many residents and non-residents provided comment regarding the recent Black Lives Matter Rally and Back the Blue Rally that took place in the Village in recent weeks. Many who spoke expressed anger and frustration that a blue line had been painted on Washington Avenue during the Back the Blue Rally. Speakers expressed concern that the painting of the blue line diminished concerns raised at the Black Lives Matter rally regarding the death of George Floyd and expressed frustrations over longstanding issues about the treatment of black people in the United States.

Neither event received a permit, and neither event was sanctioned by the Village, so the Village was not involved with the planning or coordination of either event. Since the events were coordinated by outside parties, there were numerous concerns expressed by Village business owners and residents about the possibility of violence or damage based on what was being observed across the country at that time. Ultimately, it was determined that both of the events were coordinated by local parties and the level of concern expressed by residents and merchants was reduced. Even before learning who the sponsors of the events were, the Village acted to ensure those involved were enabled to protest in a safe and peaceful environment.

Mayor Markunas explained that even though he was not invited to attend the Black Lives Matter Rally, he sent two flower wreaths representing the beauty of diversity along with flowers for each participant to hold during the rally which had a note attached to each in support of those participating in the Black Live Matter Rally. The Village also requested community leader Syed Ali, Imam of the Suffern Mosque, take a lead role in the march on Lafayette Avenue. Syed Ali then presented the Village of Suffern wreaths at the Spring Valley rally held immediately following the Suffern rally in support of Black Lives Matters. Mayor Markunas explained that he was invited to attend the Back the Blue Rally and attended in support as a retired police officer. He clarified that the lines painted on Washington Avenue have been there for many years and were originally painted to show support for the Suffern Police Department and the Village of Suffern Fire Department. The blue line was rededicated during the rally to show support, once again, for the Suffern Police Department.

Mayor Markunas stated he believes that the Suffern Police Department is actively involved with residents as part of its community policing programs, is actively involved with Suffern youth through DARE programs including the Holiday Toy Program, and their routine visits and involvement with local schools. Mayor Markunas stated that the members of the Suffern Police Department deserve support for proudly serving and protecting all residents of the Village including Chief Clarke Osborn's efforts to establish pro-active public safety program which includes numerous community outreach programs which are being referred to by experts as to the way policing and public safety should be implemented. Frustrations continued to be expressed by the speakers, the Mayor, and members of the Board who collectively did not agree on the meaning or intent of the painting of the blue line on Washington Avenue. The Mayor stated that he has been working closely with the Rockland County Director of Human Rights long before the rallies took place in Suffern to improve the lives of all residents will continue to do so in the future.

**INFORMAL PRESENTATION:**

The Informal Presentation by Sam Rottenberg and Robert Bernstein representing Le Chocolate did not occur. Attorney Robert Magrino will be following up with the representative of Le Chocolate regarding next steps.

**BUILDING DEPARTMENT:**

**RESOLUTION NO. 141 OF 2020 - ACCEPTING THE RESIGNATION OF FRANK WILSON, FIRE INSPECTOR (PT) EFFECTIVE SEPTEMBER 8, 2020**

The Board of Trustees accepted the resignation of Frank Wilson, Fire Inspector (PT), effective September 8, 2020. A motion to approve the foregoing resolution was made by Trustee Charles Barone, seconded by Trustee Jo Meegan Corrigan.

**RESOLUTION NO. 142 OF 2020 - APPOINTING MICHAEL STARK AS FIRE INSPECTOR (PT) EFFECTIVE SEPTEMBER 8, 2020**

Mayor Markunas appointed Michael Stark to the position of, Fire Inspector (PT), effective September 8, 2020, at a salary of \$34,046.48. A motion to approve the foregoing resolution was made by Trustee Paul Girard, seconded by Trustee Steven Alpert, and passed unanimously by the Board.

**PUBLIC HEARING:**

A Public Hearing scheduled for 7:05 p.m. Public Hearing to consider amendments to the Code of the Village of Suffern, Chapter 254 – Vehicles and Traffic, to update procedures for towing and impoundment of vehicles began at 9:18 p.m. A motion to open the Public Hearing was made by Steven Alpert, seconded by Jo Corrigan, and passed unanimously by the Board. Attorney Magrino and Chief Clarke Osborn provided an overview of the changes. No members of the public requested

to speak. A motion to close the Public Hearing at 9:30 p.m. was made by Steven Alpert, seconded by Jo Corrigan, and passed unanimously by the Board. The Board move to adopt Local Law 5 of 2020 by Resolution No. 143 of 2020.

**RESOLUTION NO. 143 OF 2020 – ADOPTING LOCAL LAW 5 OF 2020 AMENDING CHAPTER 254 OF THE CODE OF THE VILLAGE OF SUFFERN ENTITLED VEHICLE AND TRAFFIC, TO ADD A SECTION ENTITLED TOWING**

On July 7, 2020, the Village Board of Trustees expressed its intention to conduct a Public Hearing to consider amendments to the Village Code Chapter 254 Vehicle and Traffic to add a section entitled Towing. The Village Board adopted Local Law No. 5 of 2020 as follows:

**LOCAL LAW NO. 5 OF 2020 – AMENDING CHAPTER 254 OF THE CODE OF THE VILLAGE OF SUFFERN ENTITLED VEHICLE AND TRAFFIC, TO ADD A SECTION ENTITLED TOWING**

BE IT ENACTED by the Board of Trustees of the Village of Suffern, as follows:

Section 1. Section 254 of the Code of the Village of Suffern, entitled Vehicle and Traffic, is hereby amended with the addition of the said section of the Code to read as follows:

§ 254-44. Title.

This chapter shall be known and may be cited as the "Towing Law of the Village of Suffern."

§ 254-45. Purpose.

This chapter is enacted for the purpose of regulating towing services and solicitation in order that the peace, health, safety, welfare and good order of the Village of Suffern and its inhabitants shall not be endangered or unduly disturbed.

§ 254-46. Definitions.

When used in this chapter, unless otherwise expressly stated or unless the context or subject matter otherwise requires, the following terms shall have the meanings indicated:

**HEAVY-DUTY TOW SERVICE LICENSEE** — A tow service meeting all of the requirements of this chapter which has been issued a heavy-duty tow service license by the Village. Such a licensee shall be considered both a regular and heavy-duty licensee for the purposes of this chapter.

**HEAVY-DUTY VEHICLE** — A motor vehicle which is a truck over one and one-half (1 1/2) tons, semi-tractor, tractor, bus or vehicle whose weight exceeds 10,000 pounds.

**MOTOR VEHICLE OR VEHICLE** — Every device in, upon or by which any person or property is or may be transported or drawn upon a public highway, except devices moved by human power or used exclusively upon stationary rails or tracks.

**NONCONSENSUAL TOW** — The movement or transportation of a vehicle by a tow truck without the prior consent or authorization of the owner or operator of the vehicle. A nonconsensual tow does not include a tow in which the vehicle owner or operator is present at the scene and expressly requests that a specific tow service remove his or her vehicle, unless, in the opinion of a responding police officer there may be an unreasonable time delay or traffic safety hazard.

**PERSON** — Any individual, partnership, joint venture, corporation or unincorporated association and any principal or agent thereof.

**POLICE DEPARTMENT** — The Police Department of the Village of Suffern.

**REGULAR TOW SERVICE LICENSEE OR LICENSEE** — A tow service meeting all of the requirements of this chapter, except those required for a heavy-duty tow service licensee, which has been issued a tow service license by the Village.

**TOW SERVICE** — A person engaged in the business or offering services whereby motor vehicles are towed or otherwise removed from the place where they are disabled, parked or initially impounded by use of a wrecker so designed for that purpose or by a truck, automobile or other vehicle so adapted to that purpose.

**TOW TRUCK** — A wrecker designed for the purpose of towing or otherwise removing vehicles from the place where they are disabled or parked or servicing the same or a truck, automobile or other vehicle adapted to that purpose.

**WINCHING** — A hoist, haul or push, by a winch not connected with a boom or not connected to the operation of towing, upon a flatbed. A separate action independent of and in addition to basic towing.

**FEE** — Any fee, charge or other consideration directly or indirectly imposed by the tow service on the owner of a towed vehicle other than towing, storage or repair of the vehicle.

§ 254-47. License required.

No person engaged in business or offering services as a tow service in the Village shall appear on the lists provided for in this chapter unless a license shall have been obtained from the Village Clerk and said license shall not have been revoked or suspended. Nothing herein shall be construed as prohibiting any tow service whose business is based outside the Village from applying for the same license herein required and obtaining said license under the same terms as a business located within the Village. Licensed tow service may contract for the services in the Village of other tow services but said tow services must also be licensed by the Village.

§ 254-48. Application for license.

Every applicant for a license shall submit to the Village Clerk:

A. A written application supplying, under oath, the information below. Fraud, misrepresentation or false statements as to a material matter contained in said application shall be a violation of this chapter.

- (1) Name and permanent home address of the individual filing the application.
- (2) Name, including the full corporate name if the applicant is a corporation and any trade styles used, business address and telephone number of the tow service represented and the date of incorporation of any corporate applicant.
- (3) Names and addresses of all tow truck drivers employed by the applicant.
- (4) The location, description and New York State motor vehicle identification number of the tow trucks owned or operated by the applicant.

(5) Whether the applicant or any partner, corporate officer or director, principal or agent in the tow service business of the applicant has been convicted of a crime or offense or has a pending indictment or arrest. If so, a statement containing the date of arrest or conviction, the crime or offense charged, and the name of the person involved shall be provided.

(6) Whether the applicant or any partner, corporate officer or director, principal or agent is or was the holder of any tow service license issued by any other municipality or other governmental unit and their names and whether such license had ever been suspended or revoked. If so, a statement of the date of said suspension or revocation, the reasons cited by the governmental unit and whether the license was reinstated shall be provided.

B. Certificates of insurance for the coverage required and the Village as an additional insured to include a statement indemnifying and holding the Village harmless from any damage and requiring 30 days' notice to the Village in the event of cancellation or nonrenewal shall be provided with the application.

§ 254-49. Notification of change in license information.

A licensee shall notify the Village Clerk in writing of any change in the information supplied on the application prior to the issuance of the license and during the license period, including but not limited to any arrests or convictions of the licensee or any partner, corporate officer or director, principal or agent of the licensee.

§ 254-50. Fees

The fees for all licenses are as prescribed by the rates set by the County of Rockland.

§ 254-51. Requirements and restrictions.

A tow service license hereunder shall be issued subject to the following conditions:

A. It shall be unlawful for any person to service or tow away any motor vehicle which has been involved in an accident without the prior written consent of the owner or operator or the police officer at the scene of the accident.

B. No motor vehicle shall be serviced at or removed from the scene of an accident where the police officer requires or requests that an examination be made of the damaged vehicles to determine whether the vehicle was defective or where the police officer requires or requests that photographs or diagrams be made of the scene.

C. On each side of every tow truck operated in the Village by a licensee there shall be legibly inscribed the name and address of the licensee or the person having the license number assigned to such tow service by the Village Clerk.

D. Tow services shall be responsible for the collection of all fees for service, towing or storage of any vehicle. Neither the Village nor any of its officers or employees shall act as agent for the collection of any fee, nor shall they be held responsible in the event of nonpayment of any moneys due to any tow services as a result of services performed in accordance with this chapter.

E. When called to the scene of an accident, the licensee shall be responsible for removing debris such as glass and metal fragments from the roadway, the shoulders of the road, the right-of-way



and property contiguous to the scene, leaving the roadway safe for vehicular traffic. All collected debris shall be disposed of in a legal manner.

F. The licensee shall maintain:

(1) Public liability insurance for personal injury and property damage with an insurance carrier licensed to do business in the State of New York.

(2) Licensees shall give the police immediate access to vehicles to be towed to perform a timely inventory of all person property contained within the vehicle.

§ 254-52. Special requirements for heavy-duty tow services.

A heavy-duty tow service licensee shall maintain at least one heavy-duty tow truck capable of towing a vehicle whose weight exceeds 10,000 pounds. A heavy-duty tow service must comply with all other provisions of this chapter.

§ 254-53. License expiration, transfer and renewal.

Every license issued pursuant to this chapter shall expire on the first day of October following the issuance thereof, and no such license is transferable from one tow service to another. An annual license renewal, applied for at least 10 days prior to expiration of the license, will be granted upon compliance with the provisions of this chapter.

§ 254-54. Licensee list; calls for assistance.

A. It shall be unlawful for any person to solicit towing or repair work at the scene of any motor vehicle accident within the Village.

B. The stopping of any tow truck within 500 feet of the scene of any accident on any public street or highway in the Village and the approach, movement or advance of the tow truck operator towards the scene without the prior authorization of the operator of the vehicle, owner of the vehicle, a member of the Village police force or a member of the New York State Police shall be presumptive evidence of the intent of the operator of a tow truck or service truck to solicit towing or repair work.

C. The Police Department shall maintain lists of regular and heavy-duty licensees who request to appear on said lists.

D. In the event of a motor vehicle accident, disablement, impoundment or call to the Police Department for towing assistance, except in the case of a specific request by the owner or operator, the Police Department shall notify regular licensees on said regular licensee list, on a rotating basis, that a tow is requested.

E. A licensee appearing on the licensee list shall be required to arrive at the scene of an accident, disablement or impoundment within 15 minutes of the placing of a tow request by the Police Department. This time limitation shall be deemed inapplicable to incidents involving extraordinary circumstances such as multiple accidents, blizzards, flooding and other natural disasters and other unusual circumstances. If a licensee does not answer the call of the Police Department or is not available when called, the licensee shall lose its turn on the licensee list rotation and must wait for the roster to be called in its entirety before he is eligible to be called again. Failure to arrive within

the specified time period or refusal to tow away a vehicle after arrival shall be grounds for suspension of the licensee's license by the Chief of Police.

F. Licensees appearing on the licensee list shall be available for service call 24 hours a day.

J. The Chief of Police is authorized to develop such other rules and regulations as he deems appropriate to maintain and enforce effective and responsive lists.

§ 254-55. Denial of license or renewal.

The Village Clerk, upon advice of the Chief of Police, may in each case deny a license or license renewal to any applicant whom he shall determine to be unable or incapable of complying with the requirements of this chapter or for any of the following causes:

A. Fraud, misrepresentation or false statements as to a material matter contained in the application for license.

B. Revocation of a tow service license, pursuant to this chapter, of the applicant or any proprietor, partner, corporate officer, director or principal or agent of the applicant.

C. Revocation or suspension of a tow service license issued by another municipality or governmental unit of the applicant or any proprietor, partner, corporate officer, director or principal of the applicant.

D. Prior suspension of the applicant's previous tow service license.

E. Conviction of the applicant or any partner, corporate officer or principal of the applicant of a misdemeanor or felony which, in the judgment of the Village Clerk, renders the applicant unfit or undesirable to carry on the activities of a licensed tow service.

F. Determination by the Village Clerk, after investigation and report by the Police Department, that the applicant, in his judgment, shall be an undesirable person or incapable of properly conducting a tow service business. Factors which the Village Clerk may consider but shall not be limited to in making a determination include prior arrest of the applicant or any partner, corporate officer or principal of the applicant on a misdemeanor or felony charge and a sufficient number of complaints to the Village Clerk or Police Department regarding the licensee's performance of tow services.

§ 254-56. Revocation of license.

A. Licenses issued under provisions of this chapter may be revoked by the Village Board after notice and hearing before the Village Board for any of the following causes:

(1) Fraud, misrepresentation or false statements as to a material matter contained in the application for license.

(2) Fraud, misrepresentation or false statements made by the licensee in the course of carrying on his activities of licensed tow service.

(3) Conviction of the applicant or any partner, corporate officer or principal of the applicant of a misdemeanor or felony which in the judgment of the Village Board renders the applicant unfit to carry on the activities of a licensed tow service.

(4) Determination by the Village Board that the licensee has become an undesirable person.

(5) Cancellation or failure to maintain insurance pursuant requirements.

B. Notice of the hearing for revocation of a license shall be given in writing, setting forth specifically the grounds of complaint and the time and place of the hearing. Such notice shall be mailed, postage prepaid, to the licensee at his business address as provided by him in his application or such other address as the licensee shall provide to the Village Clerk by certified or registered mail, return receipt requested, at least 20 days prior to the date set for the hearing.

§ 254-57. Suspension of license.

The Chief of Police or his duly appointed agent, upon receiving information giving him reasonable cause to believe that the licensee or any partner, corporate officer, shareholder or director, principal or agent thereof has violated any provision of this chapter or has been convicted of any violation referred to in this chapter or has been convicted of any crime or offense, may forthwith temporarily suspend such license.

§ 254-58. Alternate methods permitted.

Nothing provided herein shall be construed to prevent the Village from contracting with a particular tow service for services to be provided in lieu of relying on a rotating list as provided in this chapter whenever the Village Board determines the best interest of the Village so requires.

§ 254-59. Enforcement.

A. The Police Department shall be responsible for enforcement of any violation of this chapter.

B. The Chief of Police is empowered to adopt departmental regulations to implement the enforcement of this chapter.

Section 2. This Local Law shall take effect immediately upon filing with the Secretary of State.

A motion to approve the foregoing resolution was made by Trustee Charles Barone, seconded by Trustee Jo Meegan Corrigan, and passed unanimously by the Board.

**CULTURE AND RECREATION:**

Cathy Mills provided an update on Recreation Programs, the Complete Streets Program, and the Suffern Art and Dine Walk.

**GRANT WRITER:**

Grant Writer Fred Rella provided an update on current and potential grants that are being pursued on behalf of the Village.

**TREASURER:**

**RESOLUTION NO. 144 OF 2020 - AUTHORIZING TRANSFER OF UNSPENT PROJECT FUNDS FROM CAPITAL PROJECTS FUND TO GENERAL FUND**

Project 2016-009 2016 Village Hall Improvements (the “Project”) and the authorization to issue serial bonds to finance the Project in the amount of \$87,000 was adopted by the Village Board on July 13, 2015. The Village of Suffern issued bond anticipation notes in the amount of \$87,000 to finance the Project, of which \$65,250 has previously been paid and the remaining \$21,750 is

scheduled to be paid on November 13, 2020. Only \$1,992 has been spent to date on the Project and there are no outstanding encumbrances or claims against the Project. There currently is no long-term debt issued or outstanding pursuant to the aforesaid bond resolution adopted by the Village Board on July 13, 2015. There is an urgent need to provide funding in the General Fund for repairs to a fire ladder truck in the amount of \$37,550 and to purchase and install a security system at Village Hall to allow for a safe reopening of Village Hall in response to the COVID-19 Pandemic at a cost that is yet to be determined. The Village Board authorized the Village Treasurer to transfer \$37,550 from Capital Projects Fund to the General Fund, \$37,550 of which will be used for repairs to a fire ladder truck. No funding was provided to purchase and install a security system at Village Hall to allow for a safe reopening of Village Hall in response to the COVID-19 Pandemic. A motion to approve the foregoing resolution was made by Trustee Steven Alpert, seconded by Trustee Jo Corrigan, and passed unanimously by the Board.

**RESOLUTION NO. 145 OF 2020 - ADOPTING LGS-1 RETENTION & DISPOSITION SCHEDULE FOR NEW YORK LOCAL GOVERNMENT RECORDS**

The Board of Trustees resolved that *Retention and Disposition Schedule for New York Local Government Records (LGS-1)*, issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, be adopted for use by all officers in legally disposing of valueless records listed therein. In accordance with Article 57-A: (a) only those records will be disposed of that are described in *Retention and Disposition Schedule for New York Local Government Records (LGS-1)*, after they have met the minimum retention periods described therein; and (b) only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods. A motion to approve the foregoing resolution was made by Trustee Steven Alpert, seconded by Trustee Jo Corrigan, and passed unanimously by the Board.

**FIRE DEPARTMENT:**

**MOTION ACCEPTING NEW MEMBERS:**

A motion to accept new members Derek Goff (Over 18 Member), Corey Wooten (Over 18 Member) to the Suffern Hook & Ladder, and new members Curran Skoglund (Under 18 Member), Dovi Landau (Under 18 Member) and Hudson Van Sickle (Under 18 Member) to the Suffern Hose Company was made by Charles Barone, seconded by Steve Alpert, and was passed unanimously by the Board, and passed unanimously by the Board.

**RESOLUTION NO. 146 OF 2020 - AUTHORIZING PENFLEX TO PREPARE THE LOSAP COVID-19 RESOLUTION**

The Board of Trustees authorized Penflex to prepare the LOSAP corresponding resolution for the COVID-19 Pandemic at a cost of \$300. A motion to approve the foregoing resolution was made by Trustee Paul Girard, seconded by Trustee Steven Alpert, and passed unanimously by the Board.

**DEPARTMENT OF PUBLIC WORKS:**

**RESOLUTION NO. 147 OF 2020 - AUTHORIZING PAYMENTS NO. 8 TO VALENTINE ELECTRIC FOR THE SOUTH STREET EMERGENCY GENERATOR**

The Board of Trustees authorized Payment No. 8 in the amount of \$14,174.00 to Valentine Electric, 274 Greenbush Road, Blauvelt, New York. The AIA Document G702-1992 (Application and Certification for Payment) and the certified payroll have been reviewed by Charles Sawicki and have been deemed acceptable for payment. A motion to approve the foregoing resolution was made by Trustee Charles Barone, seconded by Trustee Paul Girard, and passed unanimously by the Board.

**RESOLUTION NO. 148 OF 2020 - A RESOLUTION AUTHORIZING PAYMENT NO. 3 TO DIAMOND CONSTRUCTION FOR THE 2019 RIGHT OF WAY IMPROVEMENTS PROJECT**

The Village Board authorized Payment No. 3 in the amount of \$8,440.00 to Diamond Construction, Brick, New Jersey, for the 2019 Right of Way Improvement Project. The AIA Document G702-1992 (Application and Certification for Payment) and the certified payroll have been reviewed by Charles Sawicki and have been deemed acceptable for payment. A motion to approve the foregoing resolution was made by Trustee Jo Corrigan, seconded by Trustee Steven Alpert, and passed unanimously by the Board.

**ATTORNEY:**

**RESOLUTION NO. 149 OF 2020 - AMENDING RESOLUTION 77 OF 2020 TO INCREASE RETAINER FOR ATTORNEY RICHARD GLICKEL TO \$15,000**

Resolution 77 of 2020 was amended to indicate that if the amount of the initial retainer in the client trust account for Attorney Richard Glickel falls below \$2,500, the Village of Suffern agrees to replenish the funds up to \$15,000 within fourteen (14) days of receipt of the monthly statement. A motion to approve the foregoing resolution was made by Trustee Steven Alpert, seconded by Trustee Charles Barone, and passed unanimously by the Board.

**RESOLUTION 150 OF 2020 - ACCEPTING ADDITIONAL DOCUMENTS FROM STONE CASTLE SUFFERN, LLC FOR SITE PLAN #16B/37-4B**

The Planning Board for the Village of Suffern has granted Final Site Plan Approval for a project known as New Antrim Pointe, located at 176 Lafayette Avenue, Suffern, New York, which property is now owned by Stone Castle Suffern, LLC. As a condition of granting Site Plan Approval, the Planning Board

required that the owner provide a performance bond to ensure the completion of public improvements, and that the owner provide a Storm Water Maintenance Agreement, a Fire Lane Agreement, and a covenant requiring that the owner provide a 5% discount to all police, firefighters, emergency medical personnel and military veterans of the market value rent of the apartments. The Village received from Stone Castle Suffern, LLC and the Village Attorney reviewed and approved such documents. The Village Board accepted, in addition to the Performance Bond in the amount of \$7,448.00 for public improvements, the following additional documents, related to the Final Site Plan Approval for New Antrim Pointe located at 176 Lafayette Avenue Suffern: Storm Water Maintenance Agreement, Declaration of Covenant for 5% discount in rent for first responders and military veterans, and Fire Lane Agreement. A motion to approve the foregoing resolution was made by Trustee Charles Barone, seconded by Trustee Paul Girard, and passed unanimously by the Board.

**RESOLUTION NO. 151 OF 2020 - AUTHORIZING A PUBLIC HEARING TO BE HELD TUESDAY, SEPTEMBER 8, 2020 TO CONSIDER A SPECIAL PERMIT FOR A PRIVATE CLUB AT 75 LAFAYETTE AVENUE (475 BEACON PARTNERS, LLC)**

The Board of Trustees authorized a public hearing to be held Tuesday, September 8, 2020 at 7:10 p.m. to consider a special permit for a private club at 85 Lafayette Avenue (475 Beacon Partners, LLC). A motion to approve the foregoing resolution was made by Trustee Jo Corrigan, seconded by Trustee Charles Barone, and passed unanimously by the Board.

**RESOLUTION NO. 152 OF 2020 - AUTHORIZING A PUBLIC HEARING TO BE HELD TUESDAY, SEPTEMBER 8, 2020 TO AUTHORIZE THE VILLAGE OF SUFFERN TO ADDRESS PROPERTY MAINTENANCE CONDITIONS AT 27 HILLSIDE DRIVE**

The Board of Trustees authorizes a public hearing to be held Tuesday, September 8, 2020 at 7:15 p.m. to authorize the Village of Suffern to address property maintenance conditions at 27 Hillside Drive. A motion to approve the foregoing resolution was made by Trustee Steve Alpert, seconded by Trustee Paul Girard, and passed unanimously by the Board.

**TRUSTEES:**

Trustees provided an update regarding concerns raised by constituents.

**ADJOURNMENT:**

A motion to adjourn the meeting at 10:56 p.m. was made by Charles Barone, seconded by Steven Alpert, and passed unanimously by the Board.